

# ORDER FOR SUPPLIES OR SERVICES

PAGE OF PAGES

1

13

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

1. DATE OF ORDER 03/30/2021		2. CONTRACT NO. (If any) 68HERC20D0016		6. SHIP TO: a. NAME OF CONSIGNEE CAD	
3. ORDER NO. 68HERC21F0187		4. REQUISITION/REFERENCE NO. PR-OW-21-00137			
5. ISSUING OFFICE (Address correspondence to) CAD US Environmental Protection Agency 26 West Martin Luther King Drive Mail Code: W136 Cincinnati OH 45268-0001				b. STREET ADDRESS US Environmental Protection Agency 26 West Martin Luther King Drive Mail Code: W136	
				c. CITY Cincinnati	e. ZIP CODE 45268-0001
7. TO: Andrew Parker				f. SHIP VIA	
a. NAME OF CONTRACTOR TETRA TECH, INC.				8. TYPE OF ORDER	
b. COMPANY NAME				<input type="checkbox"/> a. PURCHASE <input checked="" type="checkbox"/> b. DELIVERY REFERENCE YOUR: Please furnish the following on the terms and conditions specified on both sides of this order and on the attached sheet, if any, including delivery as indicated.	
c. STREET ADDRESS 10306 EATON PL STE 340				Except for billing instructions on the reverse, this delivery order is subject to instructions contained on this side only of this form and is issued subject to the terms and conditions of the above-numbered contract.	
d. CITY FAIRFAX		e. STATE VA	f. ZIP CODE 220302201		
9. ACCOUNTING AND APPROPRIATION DATA See Schedule				10. REQUISITIONING OFFICE OW	
11. BUSINESS CLASSIFICATION (Check appropriate box(es))					
<input type="checkbox"/> a. SMALL <input checked="" type="checkbox"/> b. OTHER THAN SMALL <input type="checkbox"/> c. DISADVANTAGED <input type="checkbox"/> d. WOMEN-OWNED <input type="checkbox"/> e. HUBZone <input type="checkbox"/> f. SERVICE-DISABLED VETERAN-OWNED <input type="checkbox"/> g. WOMEN-OWNED SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOSB PROGRAM <input type="checkbox"/> h. EDWOSB					
12. F.O.B. POINT					
13. PLACE OF		14. GOVERNMENT B/L NO.		15. DELIVER TO F.O.B. POINT ON OR BEFORE (Date) 03/29/2022	
a. INSPECTION Destination	b. ACCEPTANCE Destination			16. DISCOUNT TERMS	

## 17. SCHEDULE (See reverse for Rejections)

ITEM NO. (a)	SUPPLIES OR SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
	DUNS Number: 198549560 TOCOR: Laura Phillips					
	Continued ...					

SEE BILLING INSTRUCTIONS ON REVERSE	18. SHIPPING POINT		19. GROSS SHIPPING WEIGHT		20. INVOICE NO.		17(h) TOTAL (Cont. pages)
	21. MAIL INVOICE TO:						
	a. NAME RTP Finance Center						\$265,999.88
	b. STREET ADDRESS (or P.O. Box) US Environmental Protection Agency RTP-Finance Center (AA216-01) 109 TW Alexander Drive www2.epa.gov/financial/contracts						\$265,999.88
c. CITY Durham			d. STATE NC	e. ZIP CODE 27711		17(i) GRAND TOTAL	

22. UNITED STATES OF AMERICA BY (Signature) 03/30/2021

23. NAME (Typed)  
Keith Pfeffer  
TITLE: CONTRACTING/ORDERING OFFICER

**ORDER FOR SUPPLIES OR SERVICES**  
**SCHEDULE - CONTINUATION**

PAGE NO  
2

IMPORTANT: Mark all packages and papers with contract and/or order numbers.

DATE OF ORDER 03/30/2021	CONTRACT NO. 68HERC20D0016	ORDER NO. 68HERC21F0187
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ITEM NO. (a)	SUPPLIES/SERVICES (b)	QUANTITY ORDERED (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)	QUANTITY ACCEPTED (g)
0001	Admin Office: CAD US Environmental Protection Agency 26 West Martin Luther King Drive Mail Code: W136 Cincinnati OH 45268-0001 Accounting Info: 21-22-B-23D20F2-000BD4-2505-2123D2E001-001 BFY: 21 EFY: 22 Fund: B Budget Org: 23D20F2 Program (PRC): 000BD4 Budget (BOC): 2505 DCN - Line ID: 2123D2E001-001 Period of Performance: 03/30/2021 to 03/29/2022  Water Permits Division (WPD) National Pollutant Discharge Elimination System (NPDES) Water Quality (WQ) Technical Support				265,999.88	

TOTAL CARRIED FORWARD TO 1ST PAGE (ITEM 17(H))

\$265,999.88

## **SECTION B - Supplies or Services/Prices**

### **B-1 Local Clauses EPA-B-32-103 LIMITATION OF GOVERNMENT'S OBLIGATION**

(a) Severable services may be incrementally funded. Non-severable services shall not be incrementally funded. Contract line item 0001 is severable and may be incrementally funded. For this item, the sum of \$265,999.88 of the total price is presently available for payment and allotted to this item.

(b) For items identified in paragraph (a) of this clause, the Contractor agrees to perform up to the point at which the total amount payable by the Government, including reimbursement in the event of termination of those items for the Government's convenience, approximates the total amount currently allotted for those items to the contract. The Contractor shall not continue work on those items beyond that point. Subject to the clause entitled "Termination for Convenience of the Government," the Government will not be obligated, under any circumstances, to reimburse the Contractor in excess of the amount payable by the Government in the event of the termination of applicable contract line items for convenience including costs, profit, and estimated termination costs for those line items.

(c) Notwithstanding the dates specified in the allotment schedule in paragraph (h) of this clause, the Contractor will notify the Contracting Officer, in writing, at least 10 days prior to the date when, in the Contractor's best judgment, the work will reach the point at which the total amount payable by the Government, including any cost for termination for convenience, will approximate 85 percent of the total amount currently allotted to the contract for performance of the applicable items. The notification will state (1) the estimated date when that point will be reached and (2) an estimate of additional funding, if any, needed to continue performance of the applicable line items up to the next scheduled date for the allotment of funds identified in paragraph (a) of this clause, or to a substitute date as determined by the Government pursuant to paragraph (d) of this clause. If, after such notification, additional funds are not allotted by the date identified in the Contractor's notification, or by an agreed substitute date, the Contracting Officer will terminate any item(s) for which additional funds have not been allotted, pursuant to the clause entitled "Termination for Convenience of the Government."

(d) The parties contemplate that, subject to the availability of appropriations, the Government may allot additional funds for continued performance of the contract line items identified in paragraph (a) of this clause and will determine the estimated period of contract performance which will be covered by the funds. If additional funds are allotted, the Contracting Officer will notify the Contractor in writing. The Contractor shall not resume performance of the contract line items identified in paragraph (a) until the written notice is received. The provisions of paragraphs (b) through (d) of this clause will apply in like manner to the additional allotted funds and to the new estimated period of contract performance. The contract will be modified accordingly.

(e) The Government may, at any time prior to termination, allot additional funds for the performance of the contract line items identified in paragraph (a) of this clause.

(f) The termination provisions of this clause do not limit the rights of the Government under the clause entitled "Default". The provisions of this clause are limited to the work and allotment of funds for the contract line items set forth in paragraph (a) of this clause. This clause no longer applies once the contract is fully funded.

(g) Nothing in this clause affects the right of the Government to otherwise terminate this contract pursuant to the contract clause entitled "Termination for Convenience of the Government".

(h) The parties contemplate that the Government may obligate funds to this contract in accordance with the following schedule:

RECAPITULATION:

**RECAPITULATION OF FUNDING TO DATE**  
**CONTRACT NO. 68HERC20D0016**  
**TASK ORDER NO. 68HERC21F0187**

**BASE Period of Performance - FROM 3/30/2021 through 3/29/2022**

<b><u>FUNDING ACTION</u></b>	<b><u>FUNDING</u></b>	
<b>Total BASE Period Amount:</b>	\$	265,999.88
Initial Incremental Funding:	\$	265,999.88
Balance Unfunded	\$	000,000.00

**SECTION F - Deliveries or Performance**

F-1 Local Clauses EPA-F-12-101 PERIOD OF PERFORMANCE

The period of performance for line item 0001 (Base Period) of this Task Order shall be from 03/30/2021 through 03/29/2022, inclusive of all required reports.

**SECTION G - Contract Administration Data**

G-1 Local Clauses EPA-G-42-101 CONTRACT ADMINISTRATION REPRESENTATIVES

Task Order-Level Contracting Officers Representatives (CORs)/Project Officers for this contract are as follows:

Laura Phillips, 202-564-0741, Phillips.Laura@epa.gov	(TOCOR)
Jackie Clark, 202-564-6582, Clark.Jackie@epa.gov	(Alternate TOCOR)

Contracting Officials responsible for administering this contract are as follows:

Keith Pfeffer, 513-487-2034, Pfeffer.Keith@epa.gov	(Contracting Officer)
Ernie Forrest, 513-569-7414, Forrest.Earnest@epa.gov	(Contract Specialist)



**PERFORMANCE WORK STATEMENT  
CONTRACT 68HERC20D0016  
TASK ORDER# 68HERC21F0187**

**TITLE:** Water Permits Division (WPD) National Pollutant Discharge Elimination System (NPDES) Water Quality (WQ) Technical Support.

**1. TASK ORDER CONTRACTING OFFICER'S REPRESENTATIVE (TOCOR):**

Laura J. Phillips  
U.S. Environmental Protection Agency  
EPA Headquarters  
Office of Wastewater Management  
Water Permits Division  
1200 Pennsylvania Avenue, NW Mail Code (4203M)  
(U.S. Postal only) 1201 Constitution Ave. N.W.  
Washington, D.C. 20460

E-mail: [phillips.laura@epa.gov](mailto:phillips.laura@epa.gov)  
Phone: 202-564-0741  
Fax: 202-564-9544

**ALTERNATE TASK ORDER CONTRACTING OFFICER'S REPRESENTATIVE  
(ALT TOCOR):**

Jackie Clark  
U.S. Environmental Protection Agency  
EPA Headquarters  
Office of Wastewater Management  
Water Permits Division  
1200 Pennsylvania Avenue, NW Mail Code (4203M)  
(U.S. Postal only) 1201 Constitution Ave. N.W.  
Washington, D.C. 20460

E-mail: [clark.jackie@epa.gov](mailto:clark.jackie@epa.gov)  
Phone: 202-564-6582  
Fax: 202-564-9544

**2. PERIOD OF PERFORMANCE:** 3/30/2021 – 3/29/2022

- 3. BACKGROUND INFORMATION:** The tasks under this task order are continued work from the previous contract number 68HERC20D0016 and Task Order# 68HERC20F0165. The Water Permits Division (WPD), within the Office of Wastewater Management (OWM),

is responsible for the development and implementation of the National Pollutant Discharge Elimination System (NPDES) permits program. This program regulates point source discharges of pollutants to surface waters of the United States. The Clean Water Act (CWA) and other relevant Federal statutes provide the statutory authority and basis for the NPDES permits program. The appropriate implementation of new or revised EPA criteria and State water quality standards (WQS) under the NPDES permits program is critically important for compliance with EPA's NPDES regulations and the goals of the CWA. Therefore, development of NPDES permits program water quality (WQ) guidance, providing technical support and providing NPDES training to EPA Regions/States (i.e., for WET) are an important part of the NPDES program mission.

#### **4. PERFORMANCE WORK STATEMENT (PWS):**

**TASK 0: (Contract PWS General 4.2, 4.4, 4.5, 4.6, 4.7, 7): Work Plan, Monthly Progress Reports and Quality Assurance Project Plan (QAPP) Development.** The contractor shall develop a work plan in accordance with the contract requirements. The contractor's work plan shall include a schedule, staffing plan, level of effort (LOE), and a cost estimate for each task, the contractor's key assumptions on which staffing plan and budget are based, and qualifications of proposed staff. In accordance with the contract's "Reports of Work", the contractor shall prepare monthly progress reports must include: the monthly progress for each task and a breakout of the respective LOE hours and cost for each task in this task order. Also, the contractor must provide the LOE hours expended for the development of the Quality Assurance Project Plan (QAPP) for this task order and the LOE each month for any QAPP activities that maybe required (see item 5 of this PWS). The existing QAPP from the previous Task Order number 68HERC20F0165 can be updated and used for this Task Order since most of the tasks are continued work from the previous Task Order.

**Task 1: (Contract PWS 1.1, 3.4, 3.13): EPA NPDES WET Program and Regional Whole Effluent Toxicity (WET) Technical Support.** Task 1 includes three Subtasks. Subtask 1 is to provide continued NPDES WET technical and national programmatic support to EPA HQ and its ten Regions. Subtask 2 is to provide continued NPDES WET technical support for the EPA Integrated Compliance and Information System (ICIS) parameter code and Discharge Monitoring Report (DMR) test data project. Subtask 3 is to provide NPDES WET technical support specifically for EPA Region 6 on permit implementation and compliance determinations but still within scope of Task 1.

##### **Subtask 1: NPDES WET National Program**

The contractor shall provide NPDES WET permit programmatic and technical support to EPA HQ and its ten EPA Regions for questions or topic areas concerning EPA Regional, State and Tribal NPDES WET permits program implementation. The NPDES WET program implementation topic area examples continue to include: reasonable potential (RP) determinations, independent applicability, integrated criteria, EPA WET test methods, WET data evaluation, WET data statistical analysis and interpretation, calculations, total dissolved solids,

testing high saline effluent samples, pathogen interference, WET test species selection and sensitivity; monitoring approaches including frequency; and Toxicity Identification Evaluations/Toxicity Reduction Evaluations (TIEs/TREs). The contractor shall provide, if requested by the EPA TOCOR through a written technical direction, technical support on questions concerning RP determinations for toxics (chemical pollutants) too.

EPA anticipates the following NPDES WET technical support will be needed for review of EPA Regional and State Implementation Procedures (IPs) and draft Permit Quality Reviews (PQRs): the EPA TOCOR through a technical direction may provide to the contractor NPDES WET technical questions on EPA Regional and/or state RP NPDES WET IPs. EPA estimates up to six pages total that the EPA TOCOR may transmit through a technical direction to the contractor requesting NPDES WET expert technical support. For planning purposes, EPA estimates that there may be up to four up to one-hour conference calls using EPA's conference call lines or EPA Microsoft team meetings for the PQR report reviews and the technical support requested by the EPA TOCOR.

**Subtask 1 NPDES WET National Program Deliverables:** The contractor shall provide technical support to EPA on NPDES WET permits program based on questions or issues provided by the EPA TOCOR to the contractor. For planning purposes, the contractor shall assume that the deliverables are due to the EPA TOCOR within one week after the EPA TOCOR's written technical direction to initiate work.

**Subtask 2: EPA Integrated Compliance Information System (ICIS)/Discharge Monitoring Reporting (DMR) WET Test Data Project**

Subtask 2 is continued work from the previous Task Order on an ongoing draft project of addressing issues concerning the entry of NPDES WET permit monitoring results into EPA's Integrated Compliance Information System (ICIS) database. The NPDES WET ICIS project is to analyze existing whole effluent toxicity (WET) test data results and to develop a nationally consistent process for entering NPDES WET data into EPA HQ's ICIS database and to develop new NPDES WET parameter codes to avoid duplicative, unclear, and technically inaccurate NPDES WET parameter code entries into the ICIS database. The EPA TOCOR will communicate and coordinate with the EPA HQ's Water Permits Division (WPD)/Office of Wastewater Management (OWM), the EPA HQ's Office of Enforcement and Compliance Assurance (OECA), ten EPA Regions, and the EPA HQ's ICIS-NPDES workgroup (managed by EPA HQ and comprised of EPA and state members) regarding all aspects for this project in consult with the EPA WPD project leader. The EPA TOCOR will transmit all related information and documents through a general E-mail or a written technical direction to the contractor. The contractor shall provide EPA WET test methods expert technical support to identify and confirm EPA WET test methods and test species associated with EPA NPDES WET ICIS/DMR parameter codes. No entry into ICIS will be required by the contractor. Currently, there are six draft documents from the previous Task Order that will need to be refined to further address NPDES WET monitoring results data entry issues and to standardize EPA Regional, State and Tribal approaches to coding and entering data into EPA's ICIS database. In addition,

the current draft proposed approach will need to be revised in response to review comments from EPA's ten Regions and some HQ OW program offices that was sent out under the previous Task Order in December 2020 for a three-month review with a deadline of March 15, 2021. After the EPA review comments have been addressed in the current draft proposal, the draft will be sent out by the EPA TOCOR through the EPA's ten Regions to their respective states for their review and input.

If the EPA Integrated Compliance Information System (ICIS)/Discharge Monitoring Reporting (DMR) WET Test Data document is determined to be guidance, the contractor working with the EPA TOCOR shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**Subtask 2 EPA Integrated Compliance Information System (ICIS)/Discharge Monitoring Reporting (DMR) WET Test Data Project Deliverables:** The contractor shall provide technical support to the EPA HQ project staff through the EPA TOCOR for responding to comments from ten EPA Regions and the EPA HQ ICIS-NPDES workgroup (managed by EPA HQ and comprised of EPA and state members) on the draft analysis and deliverables. For planning purposes, the contractor shall assume up to six one-hour calls with EPA, using EPA conference lines or EPA Microsoft teams meetings, to discuss the current six draft documents and the EPA review comments that will come in from EPA's ten Regions who are reviewing the six draft documents (December 2020 to March 2021) which when received will be sent to the contractor by the EPA TOCOR. In addition, the contractor shall assume that the deliverables are due to the EPA TOCOR within up to three weeks depending on the number of comments and the complexity of the review comments received back.

If the EPA Integrated Compliance Information System (ICIS)/Discharge Monitoring Reporting (DMR) WET Test Data document is determined to be guidance, the contractor working with the EPA TOCOR shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**Subtask 3: EPA Region 6 NPDES WET Permits Program** This Subtask was requested by EPA Region 6 for expert technical NPDES WET support for Region 6 on specific Regional or State NPDES WET permit implementation questions, permit requirement challenges, and permit compliance questions. EPA estimates there will be five pages of questions or comments from EPA Region 6 which will be provided by EPA Region 6 to the EPA TOCOR who will transmit them to the contractor under a written technical directive(s). EPA estimates about up to 2

conference calls lasting up to one hour using EPA conference call lines or EPA Microsoft teams meetings with EPA R6 staff and/or their management.

**Subtask 3 EPA Region 6 NPDES WET Permits Program Deliverables:** The contractor shall provide technical support to EPA on Region 6 through the EPA TOCOR on NPDES WET permits program-based questions or issues. For planning purposes, the contractor shall assume that the deliverables are due to the EPA TOCOR within one week after the EPA TOCOR's written technical direction to initiate work.

**Task 2: (Contract PWS 1.1, 3.9, 3.13) EPA HQ NPDES WET Training Courses Support.** Task 2 is primarily for EPA HQ training courses provided to EPA Regional, NPDES State and Tribal government employees who are NPDES permit writers or who work with permit writers on developing permits for industrial and municipal facilities under the NPDES WET permits program. Task 2 contains five Subtasks all of which have a focus on providing NPDES WET training or a related toxicity workshop. Under Subtask 1, the contractor shall provide NPDES WET technical expert support for an in-person course, (along with the EPA TOCOR as an instructor), in the State of Oregon for its employees (and possibly tribal government representatives) and other EPA Region 10 states. Under Subtask 2, the contractor shall provide support to the EPA TOCOR on developing and delivering an EPA HQ in-person or virtual course in Washington, DC. Under Subtask 3, the contractor shall provide expert technical support on EPA's toxicity test methods for an EPA R9-CA Toxicity Test Laboratory training workshop. Under Subtask 4, the contractor shall provide support to EPA Region 9 staff instructors, through the EPA TOCOR, for a NPDES WET course to the Navajo Nation in Arizona (August 2021). Under Subtask 5, the contractor shall provide expert technical support to develop an EPA HQ NPDES WET "virtual course" based from existing EPA HQ on-line and in-person NPDES WET course materials.

**Subtask 1 - EPA Region 10 (R10) NPDES WET course at the Oregon Department of Environmental Quality (DEQ) in Portland, Oregon:** The EPA HQ/R10 Oregon NPDES WET in-person course is currently scheduled for May 18-20, 2021 (2.5 days) but may be rescheduled to later in the summer or early fall due to the COVID-19 pandemic. For the R10-OR DEQ course the contractor shall provide one NPDES WET technical expert instructor and up to two technical expert instructors for the EPA HQ course. The contractor shall make editorial and technical revisions and updates of up to six pages to the training materials for the EPA HQ NPDES WET EPA R10-OR based on notations from the EPA Region 9 November 2019 NPDES WET course and two 2020 EPA Regional – HQ calls which were provided to the contractor under the last Task Order.

The R10 OR DEQ course shall be provided to EPA Regional NPDES permits employees and their NPDES state and/or tribal government representatives during a two- and half-day course (eight hours/full day). The morning of the first half day may also include a NPDES WET technical discussion with Region 10 lead staff and the OR DEQ management and staff prior to the course starting the afternoon of the first day. The contractor shall use existing EPA

Headquarters NPDES WET training course materials previously developed with the EPA TOCOR under the previous Task Order 68HERC20F0165. The contractor shall ensure that all technical updates and editorial corrections identified in previous courses have been made, as appropriate, in the course book and materials for the R10 OR course. The EPA TOCOR and the contractor will coordinate with EPA R10 and the OR DEQ in preparing for the delivery of the course. The EPA TOCOR based on this coordination with R10 and OR DEQ may direct the contractor to make a minor course modifications to incorporate some of the Regional, state or tribal permitting program relevant information into the existing course materials (i.e., Regional, state or tribal permit examples, TIE/TRE case examples, WET laboratory result sheets for the WET test data review class exercises). There will be up to four conference calls with EPA Region 10 and the OR DEQ using EPA conference call lines or using EPA Microsoft Teams meetings, leading up to the course. For planning purposes, the EPA TOCOR estimates up to 3 half hour calls and possibly a one-hour call to discuss NPDES WET issues that the OR DEQ and/or R10 maybe currently facing. The EPA TOCOR and the OR DEQ state office (coordinating with EPA R10) will make all the training course logistical arrangements including registration of course attendees. EPA will print, assemble, and ship the course books. The contractor shall provide the course name tags and course completion certificates for each of the attendees. The contractor will provide to the EPA TOCOR the final electronic files set up for EPA to print the course books. The contractor will provide at the course a WET test species display and a modified acute WET test demonstration as part of the course class activities if requested by the EPA TOCOR after checking first with EPA R10 and the OR DEQ.

**Subtask 2 – EPA HQ (Washington, D.C.) NPDES WET Course:** An abbreviated EPA NPDES WET course tailored for an EPA HQ Office of Water audience course which will take place at EPA HQ, Washington D.C. for approximately up to 2 days (maybe 1.5 days), dates are anticipated for fall of 2021 depending on the COVID-19 pandemic.

For the EPA HQ course, the contractor will be presenting to both EPA managers and staff primarily from any of the four Office of Water program offices, the Office of General Counsel, and the Office of Enforcement but EPA employees from other EPA HQ offices may attend as well as possibly from the Office of the Assistant Administrator for Water. The contractor shall work with the EPA TOCOR to develop an abridged up to 2-day course for this course tailored for an EPA HQ audience which will be developed from existing EPA Headquarters NPDES WET training course materials. The contractor shall ensure that all technical updates and editorial corrections identified in previous courses have been made, as appropriate, in the course book and materials for the EPA HQ course. The EPA TOCOR will make all the training course logistical arrangements including registration of course attendees. EPA will print, assemble, and deliver the course books to the HQ's training room. The contractor shall provide the course name tags and course completion certificates for each of the attendees. The contractor will provide to the EPA TOCOR the final electronic files set up for EPA to print the course books. The contractor will provide at the course a WET test species display and a modified acute WET test demonstration (if logistically possible depending on the number of course attendees and the EPA HQ conference room requirements) as part of the course class activities.



**Subtask 3 – EPA Region 9, EPA Toxicity Test Laboratory Workshop (California):** EPA Region 9 (R9), EPA Toxicity Test Laboratory training workshop is scheduled for September 16-17, 2021 (2 days) and hopefully will not have to be rescheduled to a later date within the period of performance due to the COVID-19 pandemic. The contractor shall provide up to two NPDES and EPA toxicity test method technical expert instructors for the EPA R9 EPA Toxicity Test Laboratory training workshop.

The contractor shall provide technical support and expertise to EPA HQ and R9 in developing materials for a 2021 EPA R9 toxicity test training workshop developed for primarily laboratories conducting the EPA 2002 freshwater water flea (*Ceriodaphnia dubia*) toxicity test. The workshop is anticipated to have participants from states and other stakeholders who work with laboratories and interpret freshwater water flea toxicity test results received back from laboratories. The EPA workshop will be up to one and half days in duration and the final logistics for the workshop are being finalized with R9, however, the location of the workshop will be in Sacramento, CA at the state's training facility. The contractor shall finalize the four draft technical presentations developed under the previous Task Order 68HERC20F0165 for this training workshop. The completion of the toxicity expert technical presentation slides will include finalizing the presenter talking points (presenter slide notes). The contractor shall provide technical expert support in finalizing the current draft four technical presentations (listed below). The contractor shall ensure that all technical updates and editorial corrections identified in previous courses have been made, as appropriate, in the workshop materials. The presentations will cover how to properly conduct EPA freshwater water flea toxicity tests according to EPA's 2002 toxicity test methods and possibly some of the EPA 1995 west coast toxicity methods, if identified by the EPA R9 lead staff. The presentations will also include a discussion of how to properly complete toxicity data statistical analyses. The four technical presentations may also touch upon the application and use of the test results under EPA programs such as the NPDES permits program, Total Maximum Daily Loads (TMDL) program and ambient monitoring for water quality impacts. The contractor shall use existing power point slides and presenter notes from previous EPA NPDES WET courses developed under the previous Task Order 68HERC20F0165 or additional information or slides provided by EPA R9 and provided to the contractor through the EPA TOCOR for developing additional slides, as necessary, or to develop the below four expert technical presentations of up to one hour in duration. The contractor will receive technical direction from the EPA TOCOR to coordinate the reviews and requests from EPA R9 staff in developing the presentations for this EPA R9 laboratory course. The four presentations draft titles are:

- Conducting the EPA 2002 *Ceriodaphnia dubia* Test Method
- EPA 2002 *Ceriodaphnia dubia* Test Method – Food and Water Quality Components
- EPA 2002 Quality Assurance/Quality Control for the *Ceriodaphnia dubia* Test Method and Overall Recommendations for Optimizing Laboratory Performance
- Aquatic Toxicity Test Review Steps for Laboratories, Regulatory Authorities and Regulated Community (i.e., NPDES permittees)

For planning purposes, the EPA TOCOR estimates up to six one-hour calls with the contractor and EPA R9 staff using EPA conference call lines or EPA Microsoft Teams meetings to discuss the development of the power point presentations including presenter notes.

**Subtask 4 (EPA Region 9 NPDES WET Course, Navajo Nation in Arizona):** This EPA NPDES WET Course the contractor shall provide technical expert support to EPA Region 9 staff instructors who along with the contractor will present NPDES WET training modules to the Navajo Nation in Arizona from August 18 to 20, 2021 (2.5 days). EPA Region 9 will prepare all the course modules (except one) and handle absolutely all other aspects of the course logistics (course location/facility, registration, organization, course materials, etc.) including copying as necessary course materials. All that the contractor shall provide is an electronic file of a draft course module on a Toxicity Identification Evaluation/Toxicity Reduction Evaluation (TIE/TRE) case study for EPA Region 9's review through the EPA TOCOR. The TIE/TRE technical module will discuss and go over toxic impacts from ions, ammonia and metals due to mining or other industrial activities and some approaches to resolve the toxic impacts. The length of the TIE/TRE presentation will be for approximately 45 minutes and is to be paired with a 1-2 pages summary of the case study that provides additional details including an executive summary or short abstract paragraph up front in the document. The contractor shall also provide one NPDES WET technical expert who will travel to Arizona (provided there are no COVID-19 pandemic issues preventing the course) and attend the entire course to provide expert technical responses on whole effluent toxicity testing including TIEs/TREs and data interpretation but not on topics considered by EPA to be inherently government function. Those questions will be addressed by EPA R9 staff instructors at the course.

**Subtask 5 (EPA HQ "Virtual" NPDES WET Course):** Subtask 5 under Task 2 is to provide technical expert support for developing an EPA HQ NPDES WET "virtual course" based from existing EPA HQ on-line and in-person NPDES WET course materials from the previous Task Order 68HERC20F0165 and new course modules are also to be developed. The EPA HQ virtual NPDES WET course is being developed in response to a growing need for a virtual and interactive course for EPA Regions, States and Tribes with limited travel resources and in response to the COVID-19 pandemic impacts to in-person training.

**(1) The first step towards development of the EPA HQ NPDES WET virtual course is for the contractor, working closely with the EPA TOCOR, to identify the necessary updates and corrections for all the course materials based on past notes taken during courses and EPA Regional webinars (i.e., statistical modules).** Then the contractor shall, as necessary, make all the updates in the course materials for the EPA HQ NPDES on-line course and the in-person freshwater and marine courses including for the west coast courses. The contractor shall draft new NPDES WET modules based on past discussions with the EPA TOCOR and to be confirmed during the kick-off meeting. Some of the new NPDES WET modules could include: refined and advanced modules on data interpretation and applying various statistical approaches for analyzing valid WET data; advanced TIE/TRE case study presentations, developing (writing) NPDES WET permit language for permit writers to consider using; a module that addresses various NPDES WET permit implementation challenges (i.e., ions, salinity, metals, pesticides, personal care products,



emerging contaminants, stormwater, effluent dominated streams, impacts from mining or fracking, etc.) and possibly other modules that the EPA TOCOR will explore with the contractor during the kick off meeting based on current and past input from EPA HQ, Regional, and State staff and managers.

**(2) Next using the updated existing course materials, the new course modules, and working closely with the EPA TOCOR the following shall be done:**

- The contractor shall draft a plan and schedule for developing an EPA HQ NPDES WET virtual course that can be used to provide training to EPA HQ (DC) managers and staff, EPA Regional managers and staff (Regions 1-10), and their states or Tribes. This draft virtual course should cover at a minimum all the materials currently covered during the 2.5 days in-person NPDES WET course and as appropriate information and materials from the EPA HQ NPDES WET on-line course. The draft virtual course when completed might take up to twice the time (e.g., 5 full days) to deliver using EPA approved “Learning Management System(s)” (e.g., Adobe or Microsoft Teams meeting software) and be provided to course participants over more than a one week period so as not to overwhelm course participants sitting through full days of course in consecutive days up to or beyond 5 days.
- Using EPA conference call lines and/or EPA Microsoft Team appointments, the EPA TOCOR and the contractor shall have a kick off meeting to discuss the schedule and the workplan and thereafter have subsequent working meetings to complete a draft EPA HQ NPDES WET virtual course for EPA managers review and beta testing with EPA staff.
- In developing the draft virtual materials, the contractor shall:
  - ensure consistency among all training course components to allow for effective maintenance of and revisions to all training course materials;
  - and convert documents for use in virtual courses, improving image quality of electronic documents and making electronic documents 508 compliant for posting on EPA websites.
- The contractor shall recommend approaches which could be used to simulate the EPA HQ NPDES WET course group exercises, where possible, such as the group problem exercises (e.g., calculations for NPDES WET reasonable potential and permit limit development) and the in class mock WET test method exercises. In addition, the contractor shall recommend any other appropriate enhancements to the virtual course that can be accomplished reasonably and that are not overly costly to keep the audience interested and engaged during the course and which re-enforce what is being taught. The contractor shall be prepared to provide the pros and cons of the different approaches which could be used to accomplish the desired features for the EPA HQ NPDES virtual course including the suggested enhancements and any possible challenges that might be encountered since the course would be used with the public – states and tribal permit writers, etc.
- Once a draft virtual course is developed, the contractor shall provide technical expert support to EPA through the EPA TOCOR to brief the draft virtual course to EPA HQ and possibly later to EPA Regional staff to get their initial feedback and subsequently their first round of written review comments. The contractor shall revise the draft virtual

course working closely with the EPA TOCOR based on the EPA HQ and Regional first round of review comments transmitted to the contractor through a written technical directive from the EPA TOCOR. EPA estimates up to 30 pages of review comments and for planning purposes up to 25 conference calls (about 2 calls/month for up to 8 months) of up to one hour using EPA conference call lines or Microsoft team appointments.

- Next, after the initial review and feedback described above in the preceding bullet, here will be at least one maybe two beta tests of the revised virtual course to test out the draft virtual course with EPA HQ and/or EPA Regional staff and managers before finalizing it. There may be an additional beta test after the initial one with HQ and EPA Regional staff with identified state NPDES participants to get their feedback and to determine if the draft virtual course will work on their computer systems including through their state firewalls and technology platforms for conducting trainings/meetings.
- The virtual course needs to be finalized and ready to use by or before September 30, 2021 including providing to the EPA TOCOR e-files of the course materials and a standard operating procedures (SOPs) that are user friendly such that anyone can conduct the virtual training course.

The final EPA HQ NPDES WET virtual course, its training strategies, and SOPs may be used as a model to develop future other water quality-based course(s) such as for training EPA HQ, Regional, State and/or Tribal permit writers in implementing EPA's 2016 final freshwater aquatic life criterion for selenium.

**(3) Finally, the contractor shall draft a strategy or procedural approach for registration for the draft virtual course that may include some or all of the following:**

- **On-line Virtual Course Registration** – using an “Eventbrite Account” set up using EPA’s Eventbrite account. The virtual course developed will form the basis and model for future possible virtual or in-person EPA HQ NPDES WET courses. A draft example of an on-line registration template based on existing EPA HQ courses will be provided to the contractor to work from by the EPA TOCOR.
  - Determine the number of participants per virtual course that would work well and based on requests for the course.
  - Include a course contact person to be posted with the announcement on EPA’s website that can be an EPA HQ person such as the EPA TOCOR.
  - EPA TOCOR or possibly the contractor shall respond to individual requests on the course availability
  - Send the EPA TOCOR the draft announcement and Eventbrite Registration information for EPA to review and to post on-line (EPA’s website, on multiple training pages where the link will be posted). EPA will notify the EPA NPDES Branch Chiefs and Regional staff of availability of the Course Announcement and link to registration site.
  - Eventbrite registration shall capture the course registrants’ affiliations
- **Registration – (some of these notifications may be able to be done by EPA TOCOR as is currently done for the in-person courses, which will be discussed during the planning stages of the virtual course development).** A draft example of a registration description template based on other existing EPA HQ courses will be provided to the contractor to work from by the EPA TOCOR.
  - Registrants signing up after the maximum capacity is reached are automatically placed on a waiting list
  - Registrants will receive an E-mail confirming receipt of their request to attend a course and later a confirmation E-mail noticing them that they are accepted into the course shall be sent to the registrants approximately 6 weeks prior to the course. If registration begins to fill up, or reaches capacity, EPA will be noticed, and EPA will decide who receives a confirmation to attend a course. States, tribes and EPA staff will be given first priority for attending the course. Initially, EPA plans are to continue to just offer the EPA HQ NPDES WET course just to NPDES regulators in the EPA Regions and States and not the general public (non-profits, regulated community, etc.).
  - Backfill course slots for no-shows will be filled from the waiting list after checking first if the wait-listed participant(s) are still available and interested to attend. If they are available and interested still, then an E-mail will be sent to them to confirm their attendance. Once their attendance is confirmed they shall be taken off the wait-list.

**Task 2 EPA HQ NPDES WET Training Courses Support. Deliverables:** The contractor shall provide technical expert support to EPA on providing two NPDES WET courses (Subtask 1 and 2) and one EPA R9 EPA Toxicity Test Laboratory Training Workshop (Subtask 3): R10 OR DEQ course (Portland, OR DEQ), EPA HQ course (Washington, DC, EPA HQ), and EPA R9 Toxicity Test Laboratory Training Workshop (Sacramento, CA, CA state training facility). The contractor shall provide one or two technical NPDES WET experts as described above in Task 2 who will support EPA in delivering a NPDES WET national training course. For the R10 OR

DEQ course (Subtask 1) there will be a NPDES WET technical discussion with staff from EPA R10 and the OR DEQ on the morning of the first day before attendees arrive at 12:30 PM to sign in prior to the course starting at 1PM. The contractor may be asked to slightly modify EPA's HQ NPDES WET course for OR DEQ to incorporate R10 and OR reference information. The EPA HQ course will be an abridged course based from the existing EPA HQ NPDES WET course. For planning purposes, the contractor shall send by E-mail the final course books for each course and any other materials to the EPA TOCOR by or before four weeks prior to the course dates for reproduction by the EPA print office. The contractor shall ensure that the camera-ready copy of the course book for printing includes all technical updates and editorial corrections identified in previous courses, as appropriate, and any course materials. The contractor shall provide the course name tags and course completion certificates for each of the attendees for the EPA R10 – OR DEQ and EPA HQ course only. The contractor shall also provide for the EPA R10 – OR DEQ and EPA HQ courses a WET test species display if requested and a modified acute WET test demonstration as part of the course class activities. However, for the EPA R9 EPA Toxicity Test Laboratory Training Workshop the contractor shall only provide expert technical support and possibly a test species display. All printing of the R9 – CA workshop materials (Subtask 3) including name tags, handouts, and certificates will be done by the state of California. Other specific instructions for preparing for and delivering each course will be provided by the EPA TOCOR through a written technical direction emailed to the contractor.

Subtask 4 is for the contractor to provide one NPDES WET technical expert and development of some materials support for an EPA Region 9 led NPDES WET course for the Navajo Nation (AZ) from August 18-20, 2021 (2.5 days). For the Region 9 Navajo Nation NPDES WET course, the NPDES WET technical expert shall attend the course and present a TIE/TRE module and summarized case study developed working closely with EPA R9 through the EPA TOCOR. Under Subtask 5, the contractor shall develop and deliver to the EPA TOCOR an EPA HQ NPDES WET “*virtual*” course. Other specific instructions for preparing for and delivering the events (courses, workshop) under Subtasks 1 to 4 will be provided by the EPA TOCOR through a written technical directive to be E-mailed to the contractor. The work deliverable for Subtask 5 (virtual EPA HQ NPDES WET course) are outlined above and other any emerging information on the development of the virtual course will be discussed with the EPA TOCOR during the kickoff meeting and be followed up with written technical directives. The EPA HQ virtual course development will begin as soon as the EPA TOCOR gets the notice and approval from the EPA CO that this Task Order has been awarded and shall be completed by or before the end of the Task Order's period of performance.

**TASK 3: (Contract PWS 1.1, 3.2, 3.13) Expert Technical Support on Whole Effluent Toxicity (WET) Test Methods and WET Test Data Statistical Analysis Approaches.**

The contractor shall provide expert technical support regarding EPA and State NPDES permits programs, EPA toxicity test methods, and EPA recommended NPDES WET statistical approaches to EPA HQ water offices (i.e., Water Permits Division/Office of Wastewater Management or the Engineering and Analysis Division/Office of Science and Technology) and the Office of General Counsel (OGC) concerning NPDES WET permit program implementation

challenges especially those concerning the use of EPA's 2010 Test of Significant Toxicity (TST) statistical approach. EPA HQ continues to review and respond to ongoing stakeholder challenges concerning the implementation of WET under the NPDES permits program with respect to the statistical analysis of WET test data.

Under this task the contractor shall provide specific expert technical support with respect to EPA's toxicity test methods, approaches to analyzing WET test data (statistically) and the review of laboratory WET test data analytical reports. The EPA TOCOR may direct the contractor to provide expert WET technical support on draft recommendations to address NPDES WET technical questions about EPA's freshwater and/or saltwater EPA WET test methods and including explaining various statistical approaches for analyzing WET test data.

EPA is awaiting a court decision since June 2020 concerning the ongoing EPA NPDES WET litigation in EPA Region 9. Also, EPA HQ will be providing support to EPA Region 9 when the Region receives California's state toxics provision adoption package to review and a related technical request which EPA HQ and the Office of General Counsel (OGC) are anticipated to be called upon to review. Both of these reviews may require expert technical support on NPDES WET test implementation including statistical approaches for interpreting toxicity test data interpretation. EPA estimates up to 25 pages to review concerning draft documents, public comments and technical questions received from EPA Region 9 staff or their Office of Regional Counsel (ORC). The EPA TOCOR will transmit to the contractor through a written technical direction the information and pages that EPA will request the expert technical support from the contractor.

After EPA HQ and OGC staff or managers have reviewed the contractor's draft deliverables and provided review comments back to the contractor through the EPA TOCOR the contractor shall revise the draft deliverables based on the EPA comments received within a time frame specified by the EPA TOCOR.

**Task 3 Expert Technical Support on Whole Effluent Toxicity (WET) Test Methods and WET Test Data Statistical Analysis Approaches Deliverables:** The EPA TOCOR will coordinate the requests for expert technical support using written technical directions including the requested deliverable delivery date(s) (usually within up to two weeks from receipt of materials unless a more urgent deadline is required) concerning the review of materials provided to the contractor for review and/or in arranging conference calls or meetings. For planning purposes, EPA estimates that there may be up to four conference calls of up to one hour using EPA's conference call lines or EPA Microsoft Teams meetings.

**TASK 4: (Contract PWS 1.1, 3.3, 3.12, 3.13): EPA draft NPDES Whole Effluent Toxicity (WET) implementation frequently asked questions (FAQ) document.**

Task 4 continues the ongoing work on the draft NPDES whole effluent toxicity (WET) implementation frequently asked questions (FAQs) developed under the previous Task Order 68HERC20F0165. The contractor shall continue to provide expert technical support to complete

the development and revisions of the current draft NPDES WET implementation FAQs for additional EPA HQ and Regional review. EPA will continue to provide NPDES WET implementation issues EPA has received based on discussions with EPA Regions and/or their states and will provide additional topics as they are identified. This task may involve the contractor participating in conference calls (using EPA conference call lines) to discuss possible revisions to existing draft FAQs and to incorporate new FAQs based on discussions, additional materials (e.g., Region 4 or Region 9 FAQs or other EPA references) provided by the EPA TOCOR, and feedback from EPA Regions 1-10.

After a final draft NPDES WET implementation FAQs document has gone through EPA HQ and the Office of General Counsel (OGC) and all revisions have been completed by the contractor as directed by the EPA TOCOR through technical directions, the draft NPDES WET FAQs will be re-circulated again for review and comments to the Water Permits Division/State and Regional Branch managers, the EPA Regions 1-10, the Office of General Counsel, possibly EPA's Office of Research and Development, and other EPA HQ program offices that work with the Office of Wastewater Management's Water Permits Division on implementing EPA's NPDES WET permits program. The contractor shall revise the draft FAQs document based on the comments received which will be transmitted to the contractor from the EPA TOCOR in a technical direction. The contractor shall ensure that all technical revisions and editorial corrections have been made, as appropriate, and that a professional editor has reviewed the final draft when the EPA TOCOR directs the contractor to do so based on a mutual discussion of the document's readiness for a final professional editor review. The contractor shall revise the draft materials within up to four weeks of receiving EPA's review comments. For planning purposes, EPA estimates up to 10 pages of review comments on the main sections of the NPDES WET draft implementation FAQs, up to 4 pages on the draft laboratory WET FAQs section, and up to 15 pages of comments on the Test of Significant Toxicity (TST) statistical approach draft implementation FAQs section.

The contractor working with the EPA TOCOR shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**Task 4 EPA Draft NPDES WET Implementation FAQs Deliverables:** The contractor shall ensure that all technical revisions and editorial corrections identified in previous EPA reviews have been made, as appropriate, and that a professional editor has reviewed the final draft when the EPA TOCOR directs the contractor to do so based on a mutual discussion of the document's readiness for a final professional editor review. A schedule with interim deliverables based on EPA reviews shall be provided by the EPA TOCOR through a technical direction once the draft FAQs are sent out to the EPA Regions for review and comment and the EPA review comments have been received by the EPA HQ. The EPA TOCOR will transmit to the contractor through a written technical direction the review comments received and any other pertinent information. During the process of developing the final FAQs the contractor shall provide a revised draft back



to the EPA TOCOR within three weeks of receiving EPA's review comments from the EPA TOCOR depending on the amount and the technical or programmatic complexity of the review comments received.

The contractor working with the EPA TOCOR shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**TASK 5: (Contract PWS 1.1, 3.3, 3.13): EPA Draft NPDES Whole Effluent Toxicity (WET) Program Implementation Summary Document.**

The contractor shall provide technical support and expertise to the EPA HQ in developing a NPDES whole effluent toxicity (WET) Program Implementation Summary reference document as a technical companion reference to the existing EPA HQ live and on-line NPDES WET permit writers course and for use by EPA Regional, State, and Tribal NPDES permit writers. The contractor should use the existing information in the EPA HQ NPDES WET course, existing EPA NPDES WET guidance, EPA WET test methods, EPA federal regulations and other resources approved by the EPA TOCOR to develop the draft companion NPDES WET permit program implementation document. The contractor shall ensure that all technical revisions and editorial corrections identified in previous EPA reviews have been made, as appropriate, and that a professional editor has reviewed the final draft when the EPA TOCOR directs the contractor to do so based on a mutual discussion of the document's readiness for a final professional editor review. For planning purposes, the EPA TOCOR estimates up to 6 one-hour calls with the contractor and EPA TOCOR and possibly other EPA staff using EPA conference call lines or EPA Microsoft Teams meetings to discuss the development of an EPA HQ NPDES WET Program Implementation Summary document. For planning purposes, EPA estimates up to six reviews of the draft document and up to 25 pages of written review comments when the document is circulated to EPA HQ managers, EPA Regional managers, and staff and possible NPDES State permit writers.

The contractor working with the EPA TOCOR shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**Task 5 EPA Draft NPDES WET Program Implementation Summary Document**

**Deliverables:** The contractor shall ensure that all technical revisions and editorial corrections identified in previous EPA reviews have been made, as appropriate, and that a professional editor has reviewed the final draft when the EPA TOCOR directs the contractor to do so based on a

mutual discussion of the document's readiness for a final professional editor review. A schedule will be developed by the EPA TOCOR working closely with the contractor. The schedule will include dates for interim deliverables based on EPA reviews and will be provided by the EPA TOCOR through a technical direction.

The contractor working with the EPA TOCOR shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**Task 6: (Contract PWS 1.1, 3.2, 3.4, 3.9, 3.12, 3.13) Task 6 includes three subtasks to provide expert technical support to EPA on addressing complex questions on implementing EPA's toxicity methods and recommended approaches for statistically analyzing valid toxicity data generated from EPA's toxicity test methods.**

**Subtask 1: NPDES Whole Effluent Toxicity (WET) Compliance Assistance Materials and Recommendations for NPDES WET Analytical Laboratories, NPDES Permit Writers, and Permittees.**

The contractor shall provide technical support and expertise to EPA HQ in developing draft technical compliance assistance materials to support aquatic toxicity testing analytical laboratories, and in drafting recommendations for increasing laboratory NPDES WET testing performance for generating higher quality toxicity test data. These draft technical materials include: a "How to Guide" that provides technical and EPA methodology recommendations for conducting toxicity tests, desk reference fact sheets, and other related recommendations. The draft factsheet(s) shall summarize in plain English the major points discussed in the draft compliance assistance materials developed by the contractor. The expert technical support provided by the contractor shall build on the existing draft and work completed to date working closely with the EPA TOCOR, the EPA alternate TOCOR and EPA Region 9 staff through the EPA TOCOR. For planning purposes, EPA estimates an additional 10 pages of review comments from EPA HQ and EPA Region 9 staff or managers.

In addition, the contractor shall revise the draft compliance assistance materials and draft fact sheet(s) based on EPA's review comments which can include comments from EPA HQ, EPA's ten Regions, and their respective management chains after a final draft "How to Guide" has been completed. The review comments will be transmitted to the contractor by the EPA TOCOR under a written technical direction. The contractor shall ensure that all technical revisions and editorial corrections identified in previous EPA reviews have been made, as appropriate, and that a professional editor has reviewed the final draft when the EPA TOCOR directs the contractor to do so based on a mutual discussion of the document's readiness for a final professional editor review.



The contractor working with the EPA TOCOR shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**Subtask 2: Draft Compliance Assessment Comparison and Statistical Analysis of Toxicity Data.**

The contractor shall complete the work on the compliance assessment comparison initiated under the previous Task Order 68HERC20F0165 that was done by comparing statistical analysis of valid (meets EPA's test acceptability criteria) toxicity data reports (approximately 400 in total) from various states (CA, PA, HI) which were provided to the contractor by the EPA TOCOR. Under the previous Task Order, the contractor completed the majority of the data analysis and began drafting a draft report that summarizes the data statistical analysis. The report was drafted based on an EPA approved outline that was closely reviewed by EPA Region 9 and provided to the contractor by the EPA TOCOR. Under this Task Order, the contractor shall complete the preliminary draft summary report and shall include an executive summary and sections on: a brief background of the purpose of and the approach used to conduct the analysis, the steps taken to gather the raw WET data and how they were analyzed, the findings/observations and a conclusion or recommendations based on the analysis of the WET data. The draft summary report will be reviewed by EPA HQ staff and managers and then shared with EPA Region 9 managers and staff for written review comments. For planning purposes, EPA estimates about 20 pages of review comments which will be transmitted to the contractor through written technical directions from the EPA TOCOR. After the EPA comments have been received the contractor shall revise the draft report and provide it back to the EPA TOCOR for additional review to develop a final document.

If the draft summary report is determined to be in part or whole a guidance document, then the contractor, working with the EPA TOCOR, shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**Subtask 3: NPDES Whole Effluent Toxicity (WET) Test of Significant Toxicity (TST) Technical Response Document and Fact Sheet.**

The contractor shall provide expert technical support to EPA HQ in developing a draft technical response for EPA's review of technical questions and concerns received from stakeholders regarding NPDES whole effluent toxicity (WET) testing and EPA's 2010 NPDES WET statistical approach entitled, "Test of Significant Toxicity (TST)." One set of technical questions

and concerns were shared with the Water Permits Division and Office of Wastewater Management from the National Association of Clean Water Agencies (NACWA) representatives based on their December 2018 public letter including its attachment (California Association of Sanitation Agencies [CASA] White Paper) to the State of California concerning the state's proposed WET water quality standards and procedures. The contractor shall provide technical expert support to address the comments and concerns expressed in NACWA's 2018 letter and other similar stakeholder comments, if provided by the EPA TOCOR. This draft technical response document can incorporate not only draft technical expert recommendations from the contractor but also available EPA Office of Water programmatic recommendations and documents, Office of Research and Development (ORD) technical research (i.e., Dr. John Fox's, 2019 EPA memorandum to EPA Region 9 and the State of California Water Control Board including his statistical analyses), and other expert information found in peer reviewed and published literature such as the March 2019 journal article, "*Environmental Toxicology and Chemistry*" (ET&C, Dr. John Fox, et al. 2019), EPA information, documents, and research articles that will be transmitted to the contractor by the EPA TOCOR. The focus of the draft technical response document is to provide responses to technical questions raised concerning EPA's 2002 technical WET test methods (i.e., *Ceriodaphnia dubia* short-term chronic test, concentration-response or dose response curve interpretations) and the statistical analysis of valid WET data using EPA's 2010 Test of Significant Toxicity statistical approach. The draft technical response shall identify and technically discuss any inaccuracies or other deficiencies in the attachment ("*CASA White Paper*") to NACWA's 2018 letter. In addition to the draft technical response document, the contractor shall also develop a draft factsheet that summarizes in plain English the major points discussed in the draft technical response document. The contractor shall revise the draft technical response document and draft factsheet based on EPA's review comments transmitted to the contractor by the EPA TOCOR. The contractor shall ensure that all technical revisions and editorial corrections identified in previous EPA reviews have been made, as appropriate, and that a professional editor has reviewed the final draft when the EPA TOCOR directs the contractor to do so based on a mutual discussion of the document's readiness for a final professional editor review.

The contractor shall revise the draft technical response document and draft factsheet based on EPA's review comments transmitted to the contractor by the EPA TOCOR. For planning purposes, EPA estimates receiving up to 15 pages of additional review comments from EPA HQ and Region 9 managers and staff which will be transmitted to the contractor by the EPA TOCOR through written technical directions. The contractor shall ensure that all technical revisions and editorial corrections are made, as appropriate, and that a professional editor has reviewed the final draft when the EPA TOCOR directs the contractor to do so based on a mutual discussion of the document's readiness for a final professional editor review.

If the NPDES Whole Effluent Toxicity (WET) Test of Significant Toxicity (TST) Technical Response document or the fact sheet are determined to be in part or whole a guidance document, then the contractor, working with the EPA TOCOR, shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020

rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

### **Task 6 Deliverables:**

#### **Subtask1 NPDES Whole Effluent Toxicity (WET) Compliance Assistance Materials and Recommendations for NPDES WET Analytical Laboratories, NPDES permit writers and their Permittees Deliverables:**

The contractor shall provide draft technical compliance assistance materials and recommendations for an audience of NPDES WET analytical laboratories; NPDES permit writers, and their permittees. For planning purposes, the contractor shall assume up to four one-hour calls with EPA, using EPA conference lines or EPA Microsoft teams meetings, to discuss EPA's questions and review comments provided to the contractor by the EPA TOCOR. The contractor shall then provide final draft compliance assistance materials including final draft factsheet(s) based on EPA review comments. The contractor shall ensure that all technical revisions and editorial corrections identified in previous EPA reviews have been made, as appropriate, and that a professional editor has reviewed the final draft when the EPA TOCOR directs the contractor to do so based on a mutual discussion of the document's readiness for a final professional editor review. The contractor shall assume that the deliverables are due to the EPA TOCOR within up to two weeks depending on the number of comments and the complexity of the review comments received back.

The contractor working with the EPA TOCOR shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**Subtask 2 Draft Compliance Assessment Comparison and Statistical Analysis of Toxicity Data Deliverables:** As requested by the EPA TOCOR through a technical direction, there may be up to four one-hour call using EPA conference lines or EPA Microsoft teams meetings with the EPA TOCOR and other EPA staff to discuss review comments and questions on the draft document summarizing the data analysis completed. The contractor shall send EPA the revised draft deliverables for EPA's review within two weeks depending on the amount and technical complexity of the review comments and unless otherwise directed by the EPA TOCOR through a technical direction.

If the draft summary report is determined to be in part or whole a guidance document, then the contractor, working with the EPA TOCOR, shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020

rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**Subtask 3 NPDES Whole Effluent Toxicity (WET) Test of Significant Toxicity (TST) Technical Response Document and Fact Sheet Deliverables:**

The contractor shall provide technical expert support in revising the existing draft document and factsheet for the EPA's review that was developed under the previous Task Order 68HERC20F0165. For planning purposes, the contractor shall assume up to five one-hour calls with EPA, using EPA conference lines or EPA's Microsoft Teams meetings, to discuss the revised draft document. The contractor shall provide a final technical response document and factsheet that completely addresses EPA's questions concerning stakeholders feedback on particularly EPA's 2010 statistical approach entitled, "*Test of Significant Toxicity (TST)*" and other related NPDES WET technical topics that were raised in the context of the TST. The contractor shall revise the draft technical response document and factsheet based on EPA's review comments which will be transmitted to the contractor by the EPA TOCOR. The contractor shall ensure that all technical revisions and editorial corrections identified in previous EPA reviews have been made, as appropriate, and that a professional editor has reviewed the final draft when the EPA TOCOR directs the contractor to do so based on a mutual discussion of the document's readiness for a final professional editor review. For planning purposes, the contractor shall assume that the deliverables are due to the EPA TOCOR within up to two weeks depending on the number of comments and the complexity of the review comments received back.

If the NPDES Whole Effluent Toxicity (WET) Test of Significant Toxicity (TST) Technical Response document or the fact sheet are determined to be in part or whole a guidance document, then the contractor, working with the EPA TOCOR, shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**Task 7: (Contract PWS 1.1, 1.3, 3.3, 3.12, 3.13) EPA Water Quality Criteria NPDES Implementation Technical Support**

The contractor will continue to provide water quality criteria (WQC) expert technical support for the NPDES permits program implementation for the EPA final 2016 freshwater ambient selenium criteria and possibly ammonia criterion. The contractor shall provide expert technical support on questions that may come up regarding the current draft NPDES selenium implementation FAQs (March 2021) developed under the previous Task Order 68HERC20F0165. The contractor shall provide expert technical support in developing new draft FAQs received and revising the existing draft NPDES selenium implementation FAQs based on public comments received and provided to the contractor by the EPA TOCOR. EPA's Office of

Science and Technology/Standards and Health Protection Division (OST/SHPD) will be transmitting to the EPA TOCOR review comments from Association of Clean Water Administrators (ACWA) on the draft NPDES Selenium Implementation FAQs and possibly other related draft EPA selenium implementation documents. The contractor shall, working closely with the EPA TOCOR, develop draft responses to ACWA or other public comments and make recommended draft revisions to the EPA NPDES Selenium Implementation FAQs. EPA's SHPD staff anticipate receiving ACWA's review comments by February 19, 2021. EPA's internal draft project schedule anticipates sending a revised draft OW NPDES FAQs after addressing the ACWA review comments by the end of September 2021 for another round of public review and comment lasting up to three months. After addressing the public comments and going through EPA HQ and Regional managers and staff, SHPD/OST anticipates finalizing the draft FAQs in the later part of 2022. The EPA TOCOR through a technical direction will provide additional schedule information when the EPA TOCOR receives the Office of Science and Technology's EPA revised internal schedule for finalizing the draft selenium implementation FAQs.

The contractor shall provide expert technical support for providing draft recommendations on NPDES permit implementation of EPA's 2016 freshwater ambient selenium criteria including review of state proposed selenium criteria adoption packages and technical questions from EPA Regions and their states sent to the EPA TOCOR. For example, EPA anticipates several more states from EPA's ten Regions will be coming in with questions or proposed approaches for implementing EPA's 2016 freshwater ambient aquatic life selenium criterion. The contractor through a technical direction from the EPA TOCOR shall continue to provide expert technical support through the EPA TOCOR on reviewing and providing draft recommendations to EPA on the questions and state draft approaches that EPA receives to review for EPA Regions and HQ. For planning purposes, the contractor shall assume the possibility of up to 30 pages with respect to EPA's draft NPDES WET selenium FAQs will be transmitted to the contractor by the EPA TOCOR through written technical directions based on EPA HQ, Regional, State, Tribal and ACWA review comments on the draft FAQs and due to proposed State or Tribal approaches to implementing the 2016 EPA selenium criterion. The contractor may be requested to participate in six conference calls of up to one hour long using EPA conference call lines or EPA's Microsoft Teams meetings.

The contractor working with the EPA TOCOR shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**Task 7 EPA Water Quality Criteria NPDES Implementation Technical Support Deliverables:**

The contractor shall provide technical support on questions and review comments provided from the EPA TOCOR on the current draft NPDES selenium implementation FAQs developed under the previous Task Order 68HERC20F0165. The contractor shall revise the draft FAQs within up to two weeks depending on the amount and technical complexity of the review comments or

questions received from the EPA TOCOR through written technical directions. EPA's Office of Science and Technology/Standards and Health Protection Division (OST/SHPD) will be transmitting to the EPA TOCOR review comments from Association of Clean Water Administrators (ACWA) on the draft NPDES Selenium Implementation FAQs and possibly other related draft EPA selenium implementation documents. The contractor shall, working closely with the EPA TOCOR, develop draft responses to ACWA or other public comments and make recommended draft revisions to the EPA NPDES Selenium Implementation FAQs. EPA's SHPD staff anticipate receiving ACWA's review comments by February 19, 2021. EPA's internal draft project schedule anticipates sending a revised draft OW NPDES FAQs after addressing the ACWA review comments by the end of September 2021 for another round of public review and comment lasting up to three months. After addressing the public comments and going through EPA HQ and Regional managers and staff, SHPD/OST anticipates finalizing the draft FAQs in the later part of 2022. EPA's internal project schedule currently anticipates finalizing the draft OW NPDES FAQs by October 1, 2021. The EPA TOCOR through a technical direction will provide the revised draft OW schedule when the EPA TOCOR receives it from the Office of Science and Technology.

The contractor working with the EPA TOCOR shall ensure that all requirements of EPA's November 2020 (or any subsequent updates) and as directed by the EPA TOCOR shall be met that may require public review and comment of EPA guidance that is deemed to be significant guidance by EPA HQ and/or the Office of Management and Budget. The link for the EPA 2020 rule and relevant information can be found at: <https://www.epa.gov/laws-regulations/epa-guidance-administrative-procedures-issuance-and-public-petitions>.

**5. QUALITY ASSURANCE (QA) STATEMENT (Contract PWS 4.2, 4.4, 4.5, 4.6, 4.7, 7):**

A Quality Assurance Project Plan (QAPP) may be required for these Tasks: Task 1-Subtasks 1-3; Task 3 and Task 6-Subtasks 1-3; but not for Tasks 0; Task 2, Task 4, Task 5 and Task 7. Since most of the work requiring a QAPP is continued work from the previous Task Order 68HERC20F0165 the prior QAPP may be updated and revised pursuant to this Task Order TBD and submitted to the EPA TOCOR for review. If after the EPA TOCOR, EPA Quality Assurance Officer and EPA PO review the prior QAPP and no updates are needed for this Task Order then the prior approved QAPP will be the final QAPP. Otherwise for planning purposes if updates are needed the contractor may need to revise their prior QAPP. This approach will not only ensure consistency between the previous contract's Task Order 68HERC20F0165 and this Task Order TBD but also minimize unnecessary expenditures by reusing those parts of the previous QAPP which are still applicable. The contractor shall submit the revised QAPP within 3 weeks of the EPA award date for the Task Order.

**6. RESOURCE ESTIMATES (LOE):** EPA estimates 1,911 LOE hours shall be required to complete the work under this Task Order TBD.

**7. SPECIAL REPORTING REQUIREMENTS:** Reports shall be submitted in accordance with the contract. In addition, the contractor shall immediately notify the EPA TOCOR when 75% of the contract funding or labor hours have been utilized and shall not continue performing work beyond the established task order funding ceiling. The contractor shall



track and provide to the TOCOR in the monthly reports an accounting of all LOE hours and ODCs on QA activities for this task order. All text deliverables shall be compatible with the Microsoft Word currently used by the Water Permits Division and based on the EPA TOCOR's direction will either be delivered in an electronic format (i.e., CD) or emailed to the EPA TOCOR. Deliverables which shall be released to the public shall be 508 compliant. The contractor shall provide monthly status reports to the TOCOR via phone or E-mail and attend periodic status meetings up to once per month via EPA conference lines or EPA Microsoft Teams meetings set up by EPA TOCOR. The contractor shall not release information or comments on works performed under this Task Order without the TOCOR's prior written authorization. Wherever practicable, all written materials submitted to EPA shall be doubled-sided and on recycled paper. All computer disks and DVDs submitted to the EPA TOCOR shall be scanned for and identified as free from viruses. The contractor shall submit drafts and final products in hard copy as well as on the appropriate size disk in a format compatible with Water Permits Division hardware.

## **8. GENERAL REQUIREMENTS OF THE TASK ORDER AND SCHEDULE:**

**Limitation of Contractor Activities:** The contractor shall submit drafts of all deliverables to the TOCOR for review prior to submission of the final product. These drafts will clearly specify the methods, procedures, considerations, assumptions, relevant citations, data sources and data that support any conclusions and recommendations. The contractor shall incorporate all TOCOR comments into all final deliverables, unless otherwise agreed upon by the TOCOR. The contractor shall adhere to all applicable EPA management control procedures as implemented by the EPA Contracting Officer (CO), CLCOR, and TOCOR.

**Deliverable Formatting:** All memos, draft comments, summaries and responses, and chapters are to be provided in electronic form using Word and/or Excel/Access, ArcView, or, in special cases another software program agreed to by the TOCOR. Memos are to be written in a manner which will make them easy to conform into draft chapters for the Final Report. For deliverables that are in Word or pdf versions of Word documents, that are intended to be shared with management or the public, the contractor shall use decimal align in all tables containing columns of numbers of varying digits, whether decimal places are reported or not. All final materials, e.g., memos, chapters, etc. are to be prepared only after receiving written technical direction from the TOCOR and formatted to be in compliance with Section 508 Amendment to the Rehabilitation Act of 1973.

The Contract level COR or an authorized individual is permitted to provide technical direction. Technical direction must be within the statement of work of the contract and includes: (1) Direction to the contractor which assists the contractor in accomplishing the PWS, (2) Comments on and approval of reports or other deliverables. Technical direction will be issued in writing or confirmed in writing within five (5) calendar days after verbal issuance. One copy of the technical direction memorandum will be forwarded to the Contracting Officer and the Contract Level Contracting Officer Representative.

Work conducted under this Task Order shall not duplicate work conducted under any other Task Order or Work Assignment under any other contract. As required, the EPA TOCOR will provide technical direction in accordance with Clause H-19 of the contract, EPAAR 1552.237-71 TECHNICAL DIRECTION (AUG 2009) and the Contract Level Performance Work Statement (PWS).

**Confidential Business Information:** For this Task Order, the contractor shall not be accessing any Confidential Business Information (CBI).

**Printing:** All copying, and printing shall be accomplished within the limitations of the printing clause of the contract.

**Identification as Contracting Staff:** To avoid the perception that contractor personnel are EPA employees, the contractor personnel shall be clearly identified as independent contractors of EPA when participating in events with outside parties and prior to the start of any meeting. The contractor personnel are prohibited from acting as the Agency's official representative. When speaking with the public, the contractor shall refer all interpretations of policy to the TOCOR.

**Conference/Meeting Guidelines and Limitations:** The EPA projects that none of the individual meetings identified in these tasks will exceed a total cost of \$20,000. The contractor shall immediately notify the EPA Contracting Officer, CL-COR and TOCOR of any anticipated individual event involving support for a meeting, conference, workshop, symposium, retreat, seminar, or training that may potentially incur \$20,000 or more in cost during performance. Conference expenses are all direct and indirect costs paid by the government and include any associated authorized travel and per diem expenses, room charges for official business, audiovisual use, light refreshments, registration fees, ground transportation and other expenses as defined by the Federal Travel Regulations. All outlays for conference preparation should be included, but the federal employee time for conference preparation should not be included. After notifying EPA of the potential to reach this threshold, the Contractor shall not proceed with the task(s) until authorized to do so by the Contracting Officer.

The EPA will assess Contractor performance in accordance with the Quality Assurance Surveillance Plan (QASP), Attachment 1 to this PWS.

**Attachments (1):** Contract Level QASP

**9. SURVEILLANCE PLAN:** (discussed in the contract). **See Attachment One.**



## **Attachment 1: Quality Assurance Surveillance Plan (QASP)**

### **ATTACHMENT 1 QUALITY ASSURANCE SURVEILLANCE PLAN**

#### **“Technical Support for Assessing, Managing, and Communicating the Ecological and Human Health Risks of Contaminants in Water, Fish, and Sediments, and of Microbial Pathogens in Surface Waters”**

**Purpose:** The requirements performed under this contract are considered performance-based, focusing on the Agency’s desired results and outcomes. The contractor shall be responsible for determining the most effective means by which these requirements will be fulfilled. In order to fulfill the requirements, the contractor shall design innovative processes and systems that can deliver the required services in a manner that will best meet the Agency’s performance objectives. This performance-based requirement represents a challenge to the contractor to develop and apply innovative and efficient approaches for achieving results and meeting or exceeding the performance objectives, measures, and standards described below. The Contractor’s performance will be reflected in the positive or negative evaluation offered by the Agency in the Contractor Performance Evaluation (CPE) which is evaluated annually (per the “Contractor Performance Evaluation” clause in the contract). The TOCOR shall submit a complete annual review of the areas outlined in the Quality Assurance Surveillance Plan (QASP), included in the contract, which will then be utilized by the Contract Level Contracting Officer’s Representative (CL-COR) in preparing the overall evaluations submitted annually in response to the CPE requirements in the contract. The TOCOR for each individual task order will provide the review of the deliverables at the location specified in the identified task order.

General Management and Administration			
Performance Requirement	Measurable Performance Standards	Surveillance Methods	Incentives/Disincentives
<b>Management and Communications:</b> The Contractor shall maintain contact with the EPA Contracting Officer (CO), Contracting Officer’s Representative (COR), and Task Order COR (TOCOR) throughout performance of the contract and shall immediately bring potential problems to the attention of the appropriate EPA TOCOR. In cases where issues have a direct impact on project schedules and/or cost, the Contractor shall provide options for EPA’s consideration on resolving or mitigating the impacts.	Any issues that impact project schedules and/or cost shall be brought to the attention of the appropriate EPA TOCOR within 3 business days of occurrence.	100% of active task orders under the contract will be reviewed by the EPA TOCOR monthly (via Monthly Progress Report) to identify unreported issues. The EPA TOCOR will report any issues to the EPA COR, who will bring the issue(s) to the Contractor’s attention through the EPA CO.	<b>Unsatisfactory</b> rating under the category of Business Relations in the Contractors Performance Appraisal Review System (CPARS) if two or more incidents occur during an applicable period of performance when the Contractor does not meet the measurable performance standards.  Fewer than two incidents per contract period where the contractor does not meet the measurable performance standard will be considered satisfactory performance and will be reported as such in the CPARS Performance Evaluation System under the category of Business Relations.

<p><b>Timeliness:</b> Services and deliverables shall be in accordance with schedules stated in each task orders, unless amended or modified by an approved EPA action.</p>	<p>During any period of performance, 90% of all submitted deliverables shall be submitted no later than one business day past the due date.</p>	<p>100% of active task orders under the contract will be reviewed by the EPA TOCOR monthly (via Monthly Progress Report &amp; milestones established for each deliverable) to compare actual delivery dates against the approved delivery dates. The EPA TOCOR will report any issues to the EPA COR, who will bring the issue(s) to the Contractor's attention through the EPA CO.</p>	<p><b>Unsatisfactory</b> rating under the category of Timeliness in the CPARS when the Contractor does not meet the measurable performance standards during an applicable period of performance.</p> <p>A satisfactory rating will be reported in the CPARS Performance Evaluation System under the category of <b>Timeliness</b> if the contractor meets the measurable performance standards.</p>
<p><b>Cost Management and Control:</b> The Contractor shall monitor, track, and accurately report level-of-effort, labor cost, and other direct cost to EPA through progress reports and approved special reporting requirements.</p> <p>The Contractor shall assign appropriately leveled and skilled personnel to all tasks, practice and encourage time management, and ensure accurate and appropriate timekeeping.</p>	<p>The Contractor shall manage costs to the level of the approved ceiling on the task orders. The Contractor shall notify the EPA TOCOR/COR when 75% of the approved funding ceiling for the work assignment is reached.</p>	<p>The EPA COR will routinely meet with the Contractor's Project Manager to discuss the work progress, and the contract and individual task order expenditures. The EPA COR shall review the Contractor's Monthly Progress Reports and request the TOCOR's verification of expenditures and technical progress before authorizing invoice payments.</p>	<p><b>Unsatisfactory</b> rating under the category of Cost Control in the CPARS when the Contractor does not meet the measurable performance standards during an applicable period of performance.</p> <p>A satisfactory rating will be reported in the CPARS Performance Evaluation System under the category of Cost Control if the contractor meets the measurable performance standards and accurately reports the costs in the progress reports according to the requirements in the "Reports of Work" attachment to the Contract.</p>
<p><b>Technical Effort:</b> The analyses or products developed by the Contractor shall be factual, defensible, and based on sound science and engineering. All data shall be collected from reputable sources; quality assurance measures shall be conducted in accordance with contract and Agency requirements,</p>	<p>All (100%) analyses conducted for EPA by the Contractor must be factual and based on sound science and engineering. All analyses and products (initial and</p>	<p>EPA will review all analyses conducted and products prepared by the Contractor and will independently consider their merit. EPA may opt to peer review</p>	<p><b>Unsatisfactory</b> rating under the category of Quality of Product or Service in the CPARS when the Contractor does not meet the measurable performance standards during an applicable period of performance, even after</p>

and any additional requirements outlined in individual task orders or technical directives. Any work requiring the Contractor to provide options or recommendations shall include the rationale used in selecting the option/recommendation and all other options and recommendations considered.	final drafts) shall conform in format and content to requirements specified by the TOCOR in written technical direction and should meet the objectives stated in the task order. All initial draft documents shall be clearly written at a level appropriate to the targeted audience. All information shall be factual, technically sound, and accurate, with data sources identified.	analyses to further validate their merit.	review input and follow up discussion by Agency personnel.  A satisfactory rating will be reported in the CPARS Performance Evaluation System under the category of <b>Quality of Product or Service</b> if the contractor meets the measurable performance standards.
<p><b>Quality Assurance/Quality Control (QA/QC):</b> The Contractor shall comply with the quality assurance requirements specified in EPA Requirements for Quality Assurance Project Plans (<a href="http://www.epa.gov/quality/qs-docs/r5-final.pdf">http://www.epa.gov/quality/qs-docs/r5-final.pdf</a>) and as required by the EPA TOCOR. The Contractor shall assign appropriately leveled and skilled technical and quality assurance personnel to develop a Quality Assurance Project Plan (QAPP) for all tasks requiring collection or use of environmental data.</p> <p>The QAPP shall be developed in consultation with the EPA TOCOR, and fully approved by the appropriate EPA personnel, before initiation of activities involving environmental data collection or use.</p> <p>Any change in the planned environmental data activities that become necessary during the course of the project shall be fully documented in approved revised versions of the QAPP prior to their implementation.</p>	<p>The Contractor shall notify the EPA TOCOR of any issues that impact project quality within 3 business days of occurrence.</p> <p>The Contractor shall notify the EPA TOCOR and COR within 5 business days of occurrence of any requests to collect or use environmental data without an EPA-approved QAPP.</p> <p>The Contractor shall document all QA/QC activities, including compliance with the quality objectives specified in the QAPP, in Monthly Progress Reports.</p>	<p>100% of active task orders under the contract will be reviewed by the EPA TOCOR monthly (via Monthly Progress Report) to assess contractor compliance with the approved QAPP, and to identify unreported issues related to project quality and requests to collect or use environmental data without an EPA-approved QAPP. The EPA TOCOR will report any issues to the EPA QAO and COR, who will bring the issue(s) to the Contractor's attention through the EPA CO for immediate resolution.</p>	<p><b>Unsatisfactory</b> rating under the category of Quality Assurance/Quality Control in the CPARS if more than three incidents occur during an applicable period of performance when the Contractor does not meet the measurable performance standards.</p> <p>A satisfactory rating will be reported in the CPARS Performance Evaluation System under the category of Quality Assurance/Quality Control if the contractor meets the measurable performance standards.</p>